

30 April 2003
Application No.: 09/645,827
Docket: 1000.06

d.) Remarks

With the entry of the preceding new claims 17-20, claims 1-20 will be pending in this application.

The only outstanding issue was the rejection of claims 1-8 under 35 U.S.C. § 102(b) as being anticipated by an article entitled "Micro-Robotics: Components and Applications", by Wolfgang, *et al.* (Wolfgang article).

As stated previously, a difference between the present claimed invention and the Wolfgang system concerns the inclusion of the subsequent system aligner that mechanically adjusts the optical components that have been attached to the optical bench. Specifically, the Wolfgang article discloses a system in which the UTH's are placed on a bench with a gripper as illustrated in Fig. 8A, and then fine positioned until they are properly aligned into the optical link. The UTH's are then laser welded in place as shown in Fig. 8C.

The Office Action takes the "position that how the system operates is a process limitation that holds little patentable weight in an apparatus claim."


Applicants respectfully take the position that these claimed features are functions of a machine and should be given the same patentable weight as the other features of the claims. Applicants hope to emphasize this point by the inclusion of a 35 U.S.C. 112, sixth paragraph, recitation in new claim 17, which should help to clarify the issue.

For the foregoing reasons, Applicants request withdrawal for the pending rejections.

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Applicants believe that the present application is in condition for allowance. A Notice of Allowance is respectfully solicited. Should any questions arise, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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